

REMARKS

Following entry of the above noted amendment, claims 1-3, 5-7, 13, 14, and 17-21 are pending for examination. Claims 4, 8-12, 22, 23 have been canceled. Claims 15 and 16 have been withdrawn pursuant to a species election previously made by the applicants. The claims have also been amended to clarify the recited features.

Applicants wish to inform the Patent Office of a continuation-in-part application serial number 10/322,877 filed December 18, 2002, currently allowed. Applicants understand the Examiner of the present application is also the Examiner of the continuation-in-part application.

In the Office Action dated October 20, 2004, claims 1-3, 6-12, 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Davis U.S. Patent No. 4,803,951. Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Chou U.S. Patent No. 6,715,446. Claims 13, 14, and 17-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view over Liang U.S. Patent No. 5,702,010.

It is noted that the Davis patent discloses a pet enclosure or carrier having generally rectangular walls with a rear wall being open to provide access to the interior of the carrier when the tailgate of the station wagon is opened. The claims of the present case have been amended to patentively distinguish over the references cited by the Examiner. In claim 1, for example, the sidewalls are trapezoidal and the support members have the same peripheral shape as the abutting sidewall. This results in slopping end walls, one of which has a door in it. The door can be closed when the unit is not in a vehicle.

The secondary reference to Chou in combination with Davis does not teach or suggest the features recited by claim 1. The pet tent of Chou has a rectangular bottom and a curved top, much like the shape of a mailbox. Liang only discloses a retractable laundry suspension rod. Liang in combination with Davis does not teach or suggest the features recited by claim 1.

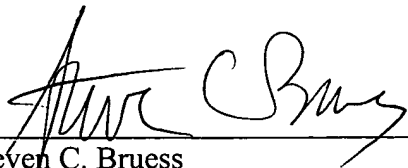
The present invention thus provides an animal container which is shaped to save space when placed in a vehicle such as a station wagon. The container has a door which can be opened and closed so that the unit can be used in a variety of situations to house an animal. The claimed container has additional advantageous features as described in the original application, including

a movable strut which can be moved to allow collapsing of the sidewalls of the housing toward one another, such as for convenient storage. It is submitted that the remaining claims as identified in the Office Action are in condition for allowance.

Respectfully submitted,

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